

Appln No. 10/816,396
Amdt date July 19, 2010
Reply to Office action of April 19, 2010

REMARKS/ARGUMENTS

In the Final rejection dated April 19, 2010, the Examiner rejected claims 1-4, 7, 13, 17-22 and 31-35 under 35 U.S.C. §103(a) as allegedly obvious over Diederich, et al. (U.S. Patent No. 6,117,101) in view of Collins, et al. (U.S. Patent No. 6,837,886) and Abele (U.S. Patent No. 5,860,974), and rejected claim 38 under the same section as allegedly obvious over Diederich in view of Collins. In response, Applicant has amended independent claims 1, 32 and 38 to recite that the tensile members have proximal ends mounted between an proximal tubing and an outer proximal ring. None of Diederich, Collins and Abele, either alone or in combination, teach or suggest these features. Accordingly, independent claims 1, 32 and 38, and all claims dependent therefrom, including claims 2-4, 7, 13, 17-22, 31, 33, 34 and 35, are allowable over Diederich, Collins and Abele.

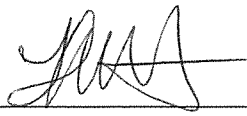
The Examiner also rejected claims 11, 12, 14, 15, 36 and 37 under 35 U.S.C. §103(a) as allegedly obvious over Diederich, Collins and Abele in view of one or more of Webster, Jr. (U.S. Patent No. 5,772,590)("Webster '590"), Edwards, et al. (U.S. patent No. 5,471,982), Webster, Jr. (U.S. Patent No. 6,183,463)("Webster '463"), and Maguire, et al. (U.S. Patent No. 6,514,249). However, each of claims 11, 12, 14, 15, 36-38 depends from one of independent claims 1, 32 and 38, all of which are allowable over Diederich, Collins and Abele as discussed above. None of Webster '590, Edwards, Webster '463 and Maguire remedy the deficiencies of Diederich, Collins and Abele, as none of these references teach or suggest that the tensile members have proximal ends mounted between an proximal tubing and an outer proximal ring. Accordingly, independent claims 1, 32 and 38, and all claims dependent therefrom, including claims 11, 12, 14, 15, 36-38, are allowable over Diederich, Collins, Abele, Maguire, Webster '590, Edwards and Webster '563.

Claims 1-4, 7, 11-15, 17-22 and 31-38 are now pending in this application. By this amendment, Applicant has amended independent claims 1, 32 and 38 to place the claims in condition for allowance. The amendments find full support in the original specification, claims and drawings, for example, at page 16, lines 8-18, and Figure 6. No new matter is presented. In

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light of the above amendments and remarks, Applicant submits that all of pending claims 1-4, 7, 11-15, 17-22 and 31-38 are in condition for allowance. Applicant therefore respectfully requests reconsideration and a timely indication of allowance. However, if there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact Applicant's counsel at the number indicated below.

Respectfully submitted,
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